

Appl. No. 10/821,558
Amendment and/or Response
Reply to Office action of 30 January 2006

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REMARKS / DISCUSSION OF ISSUES

Claims 1-27 are pending in the application.

The Office action provisionally rejects claims 1-27 on the grounds of nonstatutory obviousness-type double patenting over the claims of copending US patent application 10/923,214, hereinafter '214. The applicants respectfully traverse this provisional rejection.

The Examiner's attention is requested to MPEP 2142, wherein it is stated:

"To establish a *prima facie* case of obviousness ... the prior art reference (or references when combined) **must teach or suggest all the claim limitations**... If the examiner does not produce a *prima facie* case, the applicant is under no obligation to submit evidence of nonobviousness."

Claim 1, upon which claims 2-10 depend, claims a simulation system that includes a cache that stores characteristics associated with the occurrence of select events, and a cache controller that determines whether to invoke the node simulator to determine the one or more characteristics associated with a subsequent event or to retrieve the one or more characteristics associated with the subsequent event from the cache.

The copending '214 application is silent with regard to a cache, and cannot be said to teach or claim the elements of claim 1.

In like manner, claim 11, upon which claims 12-19 depend, claims a simulation method that includes retrieving characteristics associated with a prior event from a cache, or, simulating an event to determine characteristics associated with the event and storing the characteristics associated with the event in the cache.

The copending '214 application is silent with regard to a cache, and cannot be said to teach or claim the elements of claim 11.

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Claim 20, upon which claims 21-27 depend, claims a computer program for execution on a computer system that causes the computer system to determine whether an event is cache-related, and either retrieve characteristics related to a similar event from a cache, or simulate the event to determine characteristics related to the event and store the characteristics related to the event in the cache.

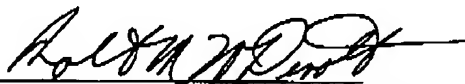
The copending '214 application is silent with regard to a cache, and cannot be said to teach or claim the elements of claim 20.

Additionally, the Examiner's attention is requested to MPEP 804, wherein it is stated:

"If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent."

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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